

As Engrossed: 3/4/91

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Representative Mahony**

A Bill ACT 474 OF 1991
HOUSE BILL 1247

For An Act To Be Entitled

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8 "AN ACT TO AMEND TITLE 20, CHAPTER 18, SUBCHAPTER 4 OF THE
9 ARKANSAS CODE OF 1987 TO PERMIT THE INTRODUCTION OF BIRTH
10 RECORDS IN PATERNITY CASES; TO CREATE A REBUTTABLE
11 PRESUMPTION OF PATERNITY; AND FOR OTHER PURPOSES."

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13 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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15 SECTION 1. Arkansas Code §20-18-407 is hereby amended to read as
16 follows:

17 "20-18-407. Social security numbers of parents [Effective November 25,
18 1990].

19 (a) Social security account information of parents of a child born
20 within this state shall be furnished to the Division of Vital Records at the
21 time of filing the certificate of birth, but such information shall not appear
22 on the certificate.

23 (b) The Division of Vital Records shall make available the records of
24 parent name and social security number to the Child Support Enforcement Unit
25 for its use in the establishment of paternity or the enforcement of child
26 support orders through electronic transfer mechanism. Such disclosure shall
27 constitute an exception to the prohibitions within 20-18-304.

28 (c) Information obtained by the Child Support Enforcement Unit pursuant
29 to this section may be used in an action or proceeding before any court,
30 administrative tribunal or other body for the purpose of establishing a child
31 support obligation, collecting child support or locating individuals owing the
32 obligation."

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34 SECTION 2. The appearance of the name of the father, *with his consent*,
35 on the certificate of birth, the social security account number of the alleged
36 father filed, *with his consent*, with the Division of Vital Records of this

1 state pursuant to §20-18-407, a certified copy of such certificate or records,
2 *on which the name of the alleged father was entered with his consent*, from the
3 vital records department of another state or the registration of the father,
4 *with his consent*, in the putative father registry of this state pursuant to
5 §20-18-702 shall constitute a prima facie case of establishment of paternity
6 and the burden of proof shall shift to the putative father to rebut such in a
7 proceeding for paternity establishment.

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9 SECTION 3. All provisions of this act of a general and permanent nature
10 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
11 Revision Commission shall incorporate the same in the Code.

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13 SECTION 4. If any provision of this act or the application thereof to
14 any person or circumstance is held invalid, such invalidity shall not affect
15 other provisions or applications of the act which can be given effect without
16 the invalid provision or application, and to this end the provisions of this
17 act are declared to be severable.

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19 SECTION 5. All laws and parts of laws in conflict with this act are
20 hereby repealed.

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22 /s/ J. Mahony

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24 APPROVED: 3-12-91

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